

AMENDMENT TO H.R. 467
OFFERED BY MR. GRIFFITH OF VIRGINIA

At the end of the bill, add the following:

1 SEC. 5. PENALTIES.

2 (a) IN GENERAL.—Section 401(b)(1) of the Con-
3 trolled Substances Act (21 U.S.C. 841(b)(1)) is amend-
4 ed—

5 (1) in subparagraph (A)(vi), by inserting “or a
6 fentanyl-related substance” after “any analogue of
7 N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]
8 propanamide”; and

9 (2) in subparagraph (B)(vi), by inserting “or a
10 fentanyl-related substance” after “any analogue of
11 N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]
12 propanamide”.

13 (b) IMPORTATION AND EXPORTATION.—Section
14 1010(b) of the Controlled Substances Import and Export
15 Act (21 U.S.C. 960(b)) is amended—

16 (1) in paragraph (1)(F), by inserting “or a
17 fentanyl-related substance” after “any analogue of
18 N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]
19 propanamide”; and

1 (2) in paragraph (2)(F), by inserting “or a
2 fentanyl-related substance” after “any analogue of
3 N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]
4 propanamide”.

5 **SEC. 6. APPLICABILITY; OTHER MATTERS.**

6 (a) IN GENERAL.—Irrespective of the date on which
7 the rules required by section 4 are finalized, the amend-
8 ments made by this Act apply beginning as of the enact-
9 ment of this Act.

10 (b) RULE OF CONSTRUCTION.—Nothing in the
11 amendments made by this Act may be construed as evi-
12 dence that, in applying sections 401(b)(1) and 1010(b) of
13 the Controlled Substances Act (21 U.S.C. 841(b)(1) and
14 960(b)) with respect to conduct occurring before the date
15 of the enactment of this Act, a fentanyl-related substance
16 (as defined by such amendments) is not an analogue of
17 N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]
18 propanamide.

19 (c) SENSE OF CONGRESS.—The Congress agrees with
20 the interpretation of the Controlled Substances Act (21
21 U.S.C. 801 et seq.) in *United States v. McCray*, 346 F.
22 Supp. 3d 363 (2018).

